

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

THOMAS W. CUNNINGHAM,

Plaintiff,

v.

CIV 13-1037 JCH/KBM

DAVID FOX AND KEITH SANDY,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

The Chief Magistrate Judge filed her Proposed Findings and Recommended Disposition on July 9, 2015 (*Doc. 39*) in which she recommended denying Plaintiff's Motion Requesting an Order of a Non-Party Member to Release Medical Records, granting Defendants' Motion for Summary Judgment, and dismissing Plaintiff's claims with prejudice . The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. As of today, no objections have been filed, and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Chief Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 39*) is ADOPTED;
2. Plaintiff's Motion Requesting an Order of a Non-Party Member to Release Medical Records (*Doc. 29*) is denied;

3. Defendants' Motion for Summary Judgment (*Doc. 34*) is granted; and
4. A Final Order pursuant to Rule 58 of the Federal Rules of Civil Procedure will be entered dismissing this action with prejudice.



UNITED STATES DISTRICT JUDGE

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